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## JUL 2 4 2008 U.S.D.C. S.D. N.Y. CASHIERS

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

SIOUNI & ZAR CORPORATION,

Index No.: 08 cv \_\_\_\_\_

Plaintiff,

- Against -

COMPLAINT

GOLD & SILVER WAREHOUSE, INC. and; GOLD & SILVER LOGISTICS, INC.;

Defendants.

Defendants.

Plaintiff, Siouni & Zar Corporation, by and through its attorneys, Hill Rivkins & Hayden LLP, as and for its complaint against the above-named defendant alleges upon information and belief as follows:

1. At and during all material times hereinafter mentioned Plaintiff Siouni & Zar Corporation was and now is a corporation organized and existing by virtue of the laws of New York with an office and principal place of business at 4910 37<sup>TH</sup> Street, 10<sup>th</sup> Floor, New York, NY 10016 and was the owner of the shipment which is the subject matter of this lawsuit.

- 2. At and during all material times hereinafter mentioned Defendant Gold & Silver Warehouse, Inc. was and now is a corporation organized and existing by virtue of the laws of New Jersey with an office and principal place of business at 257 Essex Street, Harrison, New Jersey 07029.
- 3. At and during all material times hereinafter mentioned Defendant Gold & Silver Logistics, Inc. was and now is a corporation organized and existing by virtue of laws of New Jersey with an office and principal place of business at 1 Cape May Street, Suite 209, Harrison, New Jersey.
- 4. This Honorable Court has subject matter jurisdiction pursuant to 28 U.S.C. §1332 in that Plaintiff and Defendant are citizens of different states and the amount in controversy exceeds \$75,000 exclusive of interest and costs.
- 5. On or about October 31, 2007, there was delivered to defendants in good order and condition a shipment of 6,323 ladies dresses in container TTNU 575282 which defendants received, accepted and agreed to store at their facility in Harrison, New Jersey.
- 6. Sometime between the receipt of said container on October 31, 2007 and the morning of November 1, 2007, the container and its contents disappeared from defendants' warehouse facility. The cargo was not recovered.

- 3. That a decree may be entered in favor of Plaintiff against Defendants jointly and severally, in the amount of \$115,794.02 plus interest and costs.
- 4. Plaintiff further prays for such other, further and different relief as to this Court may deem just and proper in the premises.

Dated: New York, New York July 23, 2008

HILL RIVKINS & HAYDEN LLP Attorneys for Plaintiff

By:

James A. Saville, Jr.

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